

ENROLLED ORDINANCE 158-14

AMEND THE TOWN OF GENESEE DISTRICT ZONING MAP OF THE WAUKESHA COUNTY ZONING CODE FOR THE TOWN OF GENESEE BY CONDITIONALLY REZONING CERTAIN LANDS LOCATED IN PART OF THE NW ¼ OF SECTION 27, T6N, R18E, TOWN OF GENESEE, FROM THE CONDITIONAL B-2 LOCAL BUSINESS DISTRICT TO THE CONDITIONAL B-3 GENERAL BUSINESS DISTRICT (CZ-882D)

WHEREAS the subject matter of this Ordinance having been duly referred to and considered by the Waukesha County Park and Planning Commission, after Public Hearing, and the giving of requisite notice of said hearing, and a recommendation for approval thereon reported to the Land Use, Parks and Environmental Committee, and the Waukesha County Board of Supervisors, Waukesha County, Wisconsin, as required by Section 59.69 of the Wisconsin State Statutes.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA DOES ORDAIN that the Town of Genesee District Zoning Map of the Waukesha County Zoning Code, Waukesha County, Wisconsin, adopted by the Waukesha County Board of Supervisors, on February 26, 1959, is hereby amended to conditionally rezone certain lands located in part of the NW ¼ of Section 27, T6N, R18E, Town of Genesee, from the Conditional B-2 Local Business District to the Conditional B-3 General Business District, and more specifically described in the “Staff Report and Recommendation” and map on file in the office of the Waukesha County Department of Parks and Land Use, and made a part of this Ordinance by reference (CZ-882C), subject to the following conditions:

1. A Deed Restriction shall be placed on the property stating that no single-family, two-family, multi-family, residential or condominium uses may be developed on the subject property.
2. Conditions No. 3, 4, and 5 of the Waukesha County Board of Supervisors Ordinance No. 146-112, remain in effect and must be complied with as it pertains to the Certified Survey Map for the subject property.
3. The B-3 uses allowed on the subject property shall consist of a dance hall associated with a restaurant facility and no other B-3 uses shall be allowed.
4. Prior to commencement of construction and issuance of the Zoning Permit and Sanitary Permit, a Building and Site Plan/Plan of Operation must be approved by the Town of Genesee Plan Commission and the Planning and Zoning Division Staff.
5. Signs associated with the permitted use must be submitted to and approved by the Town of Genesee Plan Commission and the Planning and Zoning Division Staff.
6. The proposed Certified Survey Map must be approved by the Town of Genesee and the Planning and Zoning Division Staff and be recorded prior to the issuance of any Zoning Permit.
7. Prior to the zoning becoming effective, documentation must be presented from the Southeastern Wisconsin Regional Planning Commission stating whether the appropriate sewer capacity was part of the sewer service amendment recently

approved, to accommodate a restaurant and dance hall with a total capacity of 700 persons.

8. Prior to the rezoning becoming effective, documentation must be presented from the Waukesha County Department of Parks and Land Use, Land Resources Division verifying the existing stormwater facility and drainage easements have been constructed in accordance with the previously approved plans and are adequate to accommodate runoff from the total amount of impervious surface on the subject site.
9. The Town Attorney shall review and determine whether there is a conflict in the drainage and stormwater easements as they seem to be within the public road right-of-way, and establish how the property owners in the entire commercial development have the authority to work within the public road right-of-way for maintenance. Any conflicts need to be resolved prior to the recording of the Certified Survey Map.

BE IT FURTHER ORDAINED that the Waukesha County Clerk shall file a certified copy of this Ordinance with the Town Clerk of Genesee.

BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect upon passage, approval and publication.

BE IT FURTHER ORDAINED that all Ordinances inconsistent with or in contravention of the provisions of this Ordinance are hereby repealed.